

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

AGENDA
(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: MARCH 10, 2020
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Lawrence Carnicelli (Chair), Christian Tackett (Vice-Chair), Stephen Castro,
Kawika Freitas, Tina Gomes, P. Denise La Costa, Kellie Pali, Keaka Robinson,
Dale Thompson

Public testimony will be taken when each agenda item is discussed. Testimony will be limited to a maximum of three (3) minutes.

A. CALL TO ORDER

B. NEW BUSINESS

1. LEILANI PULMANO, H2R, LLC, requesting review and comments on the Draft Environmental Assessment (DEA) in support of the Special Management Area Use Permit for the proposed H-2 Residential Project, consisting of 53 condominium residential lots, beach parking, rock walls, and related infrastructure improvements, located on approximately 28 acres of land along Makena Alanui Road in the H-M Hotel District and the PK-Golf Course District, TMK's: (2) 2-1-005:085 and 120 (portion), Makena, Island of Maui (EA 2020/0001) (SM1 2019/0008) (A.Cua) ([Memorandum](#))

The Maui Planning Commission is the approving agency.

Links to the Draft Environmental Assessment:

Volume I

http://oeqc2.doh.hawaii.gov/Doc_Library/2020-02-23-MA-DEA-H-2-Residential-Project-at-Makena-Vol-I.pdf

Volume II, Part 1

http://oeqc2.doh.hawaii.gov/Doc_Library/2020-02-23-MA-DEA-H-2-Residential-Project-at-Makena-Vol-II-part-1.pdf

Volume II, Part 2

http://oeqc2.doh.hawaii.gov/Doc_Library/2020-02-23-MA-DEA-H-2-Residential-Project-at-Makena-Vol-II-part-2.pdf

C. PUBLIC HEARINGS (Action to be taken after each public hearing.)

1. BRADLEY DRESSLER and ANNE PAWSAT-DRESSLER requesting a Short Term Rental Home Permit in order to operate Beach Paradise, a six bedroom STRH located on a .433 acre oceanfront lot in the A-1 Apartment District. The property is located at 1290 Uluniu Road, Kihei, Island of Maui, TMK (2) 3-9-008:005-0002. (STKM T2019/0003) (J. Burkett) ([Report](#))

The matter is being brought before the Maui Planning Commission for review because there are at least two permitted short-term rental home operations located within 500 feet of the subject property.

D. ADOPTION OF WRITTEN DECISION AND ORDER

1. [Proposed Findings of Fact, Conclusions of Law, and Decision and Order](#) denying the request for a State Land Use Commission Special Permit (SUP2) by MICHAEL and MI RA FINNEGAN to operate Hale O Ka Pua B&B, a two-bedroom bed and breakfast located in the State Agricultural District located at 2350 Aina Mahiai Place, TMK: (2) 4-4-020:036, Lahaina, Island of Maui. (SUP2 2019/0008) (J. Burkett) (Action on the application was taken by the Commission following public hearing at the November 12, 2019 meeting.) (Matter was deferred from the February 25, 2020 meeting)
 - a. MICHAEL C. CARROLL, Attorney of BAYS LUNG ROSE & HOLMA on behalf of MICHAEL and MI RA FINNEGAN submitting Petitioner Michael and Mi Ra Finnegan's [Statement of Exceptions and Objections to the Proposed Findings of Fact, Conclusions of Law, and Decision and Order](#) Denying a State Land Use Commission Special Permit for Hale O Ka Pua Bed and Breakfast located in the State Agricultural District located at 2350 Aina Mahiai Place, TMK: (2) 4-4-020:036, Lahaina, Island of Maui. (SUP2 2019/0008)

The Commission may take action to adopt, adopt with modifications, or take some other action regarding the proposed Findings of Fact, Conclusions of Law, and Decision and Order

E. DIRECTOR'S REPORT

1. SMA Minor Permit Report

This is for notification and review purposes. No action is anticipated.

2. SMA Exemptions Report

This is for notification and review purposes. No action is anticipated.

3. Discussion of Future Maui Planning Commission Agendas
 - a. March 24, 2020 agenda items

F. NEXT REGULAR MEETING DATE: MARCH 24, 2020

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE COMMISSION TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES PURSUANT TO SECTION 92-5(a)(4), HAWAII REVISED STATUTES.

UNLESS OTHERWISE SPECIFIED BY PLANNING COMMISSION RULE, ANY PETITION TO INTERVENE AS A FORMAL PARTY IN A PROCEEDING BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines of ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O the DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793. The deadline for filing a timely Petition to Intervene for an item where the first public hearing date is on March 10, 2020 was on February 25, 2020.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES, AND THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE. IN ACCORDANCE WITH THESE RULES MAXIMUM TIME LIMITS OF AT LEAST THREE MINUTES MAY BE ESTABLISHED BY THE COMMISSION ON INDIVIDUAL TESTIMONY. PLEASE NOTE THAT ANYONE WISHING TO PROVIDE ORAL TESTIMONY PERTAINING TO AN AGENDA ITEM THAT IS A "CONTESTED CASE" PURSUANT TO CHAPTER 91, HAWAII REVISED STATUTES, MAY BE ASKED TO TESTIFY UNDER OATH OR AFFIRMATION, AND MAY BE SUBJECT TO LIMITED CROSS-EXAMINATION IN ACCORDANCE WITH SECTION 91-10(3), HAWAII REVISED STATUTES.

WRITTEN TESTIMONY, WHETHER SENT VIA FAX, EMAIL, OR USPS MAIL SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. AT LEAST TWO (2) BUSINESS DAYS BEFORE THE MEETING TO ENSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, and Conditional Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

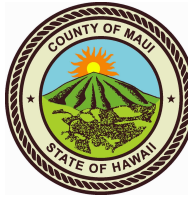
DOCUMENTS RELATING TO THIS MEETING MAY BE FOUND ON THE COUNTY OF MAUI OFFICIAL WEBSITE AT www.mauicounty.gov, UNDER BOARDS AND COMMISSIONS, MAUI PLANNING COMMISSION.

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THE ADDRESS OF THE COMMISSION IS C/O DEPARTMENT OF PLANNING, ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE DEPARTMENT OF PLANNING AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanai) OR NOTIFY THE DEPARTMENT OF PLANNING IN WRITING AT ONE MAIN PLAZA 2200 MAIN STREET SUITE 315, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634 AT LEAST SIX (6) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation.
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County of Maui
 Kalana O Maui Building
 200 South High Street,
 Wailuku, HI 96793-2155

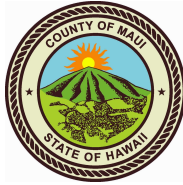
PD-Approved SMA Minor Projects for Maui

02/26/2020

Permit Completion Date: 02/12/2020 - 02/26/2020

Permit #	Project	Description	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM2 - 20140132	NORTH SHORE GREENWAY	PROPOSED NORTH SHORE GREENWAY PHASE IV	CONSTRUCT PHASE IV BIKE PATH	COUNTY OF MAUI- DEPT OF PUBLIC WORKS	THACKERSON	02/25/2020	A W/COND-APPROVED WITH CONDITIONS	2250050460000 2380010710000
SM2 - 20190040	KIHEI MCDONALDS	IMPROVEMENTS TO KIHEI MCDONALDS RESTURANT	IMPROVEMENTS TO RESTURANT\KIHEI	MICHAEL MUYCO		02/25/2020	A W/COND-APPROVED WITH CONDITIONS	2390080170000
SM2 - 20200022	ALEXANDER & BALDWIN	ALEXANDER & BALDWIN, LLC	PASTURE FENCING/PAUWELA	ALEXANDER & BALDWIN LLC		02/13/2020	A W/COND-APPROVED WITH CONDITIONS	2270040500000
SM2 - 20200023	WAIOLA CHURCH EVENT	WAIOLA CHURCH EVENT-QUEEN KEOPUOLANI	WAIOLA CHURCH EVENT-QUEEN KEOPUOLANI	WAIOLA CHURCH		02/18/2020	A W/COND-APPROVED WITH CONDITIONS	2460070160000

Grand Total : 4



County of Maui
Kalana O Maui Building
200 South High Street,
Wailuku, HI 96793-2155

PD-Approved SMA Exempt Projects for Maui

Permit Completion Date: 02/12/2020 - 02/26/2020

Permit #	Project	Permit Name	Applicant Name	Planner	Completed Date	Decision	TMK(s)
SM5 - 20200025	ALEXANDER COURTS	SMX/NEW ELECTRICAL/KIHEI	ALEXANDER COURT L L C	FASI	02/13/2020	A-APPROVED	2210061030000
SM5 - 20200030	WIND & SEA RESIDENCE	WIND & SEA RESIDENCE\PAIA	JEFFREY A. LUNDAHL	FASI	02/12/2020	A-APPROVED	2380950030000
SM5 - 20200031	MAUI4EVER LLC	SMX/MAUI4EVER LLC/LAHAINA	BRIAN VOLK	FASI	02/19/2020	A-APPROVED	2440080220189
SM5 - 20200032	PLANTATION VILLA	NEW ACC DWL BEHIND PRIMARY RES	GAL COHEN	RAPACZ	02/19/2020	A-APPROVED	2390050390000
SM5 - 20200033	BIXMIXX MAUI	SMA/TEMP TENT EVENT: 3/7-3/8/20-KAHULUI	MAUI CHAMBER OF COMMERCE	FERNANDEZ-R	02/21/2020	A-APPROVED	2380070400000
SM5 - 20200034	HALE HAKU AT	SMA APP/NEW SINGLE FAMILY DWELLING-HAIKU	THADDEUS & ELLEN JONES	KELIIKOA	02/21/2020	A-APPROVED	2280040810001
SM5 - 20200035	LAHAINA BOAT HARBOR	LAHAINA SMALL BOAT HARBOR	ED UNDERWOOD	LAU-HEE	02/25/2020	A-APPROVED	2460010020000 2460010070000
SM5 - 20200036	TERRENAL	SMX/TERRENAL ATF/LAHAINA	JOSE TERRENAL	QUIGLESS	02/24/2020	A-APPROVED	2460050620000
SM5 - 20200037	31 PAPALUA PLACE	31 PAPALUA PLACE\LAHAINA	MARLA ENGEL	BURKETT	02/25/2020	A-APPROVED	2430070150000

Grand Total : 9